REMARKS

Administrative Overview

Claims 1-16 were presented for examination. Claims 1-16 were rejected under 35 U.S.C. §103 (a) as obvious over U.S. Patent No. 6,792,607 B1 to Burd et al. ("Burd") in view of U.S. Patent No. 6,429,880 B2 to Marcos et al. ("Marcos"). Applicants hereby amend claims 1 and 8. No new matter is added. Upon entry of the present amendment, claims 1-16 are presented for examination.

Applicants note the Examiner's consideration of the Information Disclosure Statement submitted on March 4, 2002 and the First Supplemental Information Disclosure Statement submitted on March 31, 2003. Applicants submit herewith a Second Supplemental Information Disclosure Statement with the present amendment.

Claim rejections of 1-16 under 35 U.S.C. §103 (a)

Claims 1-16 were rejected as obvious over Burd in view of Marcos. To establish a prima facie case of obviousness with respect to a claim, it is necessary that the prior art references, either alone or in combination, teach or suggest each and every limitation of the rejected claims. Applicants respectfully submit that Burd and Marcos, alone or in combination, fail to teach or suggest all the limitations of independent claims 1 and 8 as amended.

Independent claims 1 and 8 now recite the insertion of at least one element into a user interface by a module or application that is independent of the application program. By keeping the user interface generation independent from the application, the claimed invention allows for a user-interface to be completely redesigned without access to the application code, or the infrastructure supporting it. Additionally, the independence allows a third party to generate a user-interface for a published application without any access to the application code or runtime environment. Furthermore, the independence enables a third party to design a new client type without the server's involvement. Many more advantages and examples of the claimed invention can be found starting at page 15, line 16 and continuing through page 16, line 9.

Burd does not teach or suggest this limitation. Burd discusses server side control objects that logically correspond to user interface elements on the client. Nowhere does Burd disclose

inserting at least one element into the user interface. Furthermore, Burd does not discuss insertion of an element into a user interface by a module or application that is independent of the application program. In col. 7, lines 55-60, Burd discusses that server-side control objects process and generate user interface elements of a web page. Additionally, in col. 8 lines 37-40, Burd discusses that server-side control objects are called to generate data, such as HTML code, for display of client-side user interface elements in the web page. Server-side control objects are created on the web server as pointed out by the Examiner in col. 5 lines 1-25. These sections clearly show that Burd does not teach a user interface generated by a program independent of the application with which the user interface interacts.

Nor does Marcos teach or suggest inserting at least one element into a user interface by a module or application that is independent of the application program. Marcos discusses a method and system for using a graphical user interface to bind user interface objects (definitional elements) to application objects. Marcos does not teach the element of generating a user interface by a separate program or module that is independent from the application, as required by amended independent claims 1 and 8. Marcos discusses merely the use of a graphical user interface for binding web page definitional elements to a back-end state of an application, and not the generation of a user interface. Furthermore, Marcos relies on the application to bind a definitional element to back-end state of the application. Since Marcos does not teach or suggest generation of a user interface, Marcos cannot teach or suggest the element of inserting at least one element into the user-interface, as recited in both independent claims 1 and 8. Marcos does not teach or suggest all the limitations in independent claims 1 and 8.

Accordingly, Burd and Marcos, either alone or in combination, do not teach or suggest each and every element recited by independent claims 1 and 8. Applicants respectfully request Examiner to reconsider and withdraw the rejection of independent claims 1 and 8 and dependent claims 2-7 and 9-16 that depend from independent claims 1 and 8.
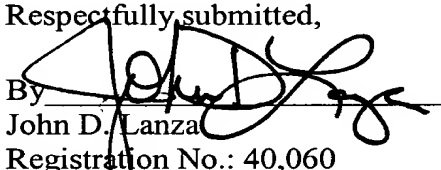
CONCLUSION

In view of the above amendment and remarks, applicants believe the pending claims are in condition for allowance.

Applicant believes no fee is due with this statement. However, if the Director considers a fee due, please charge our Deposit Account No. 12-0080, under Order No. CXT-065 from which the undersigned is authorized to draw.

Dated: February 03, 2005   Respectfully submitted,

By
John D. Lanza
Registration No.: 40,060
LAHIVE & COCKFIELD, LLP
28 State Street
Boston, Massachusetts 02109
(617) 227-7400
(617) 742-4214 (Fax)
Attorney For Applicant